

# **EXHIBIT K**

**Time Detail**

Time Period: 5/01/2004 - 6/30/2004  
 Query: Previously Selected Employee(s)  
 Actual/Adjusted: Actual Only

Data Up to Date: 11/14/2006 3:46:33PM  
 Printed: 11/14/2006 3:46:39PM  
 Printed for: NKing

Employee: Gray, Robert N

ID: [REDACTED]

Timezone: Eastern

Status: Active

Status Date: 7/13/2003

Pay Rule: 1 Mrt FLSA 40Lu Comp

**Home Labor Accounts**

START  
3/21/2004

END  
9/17/2006

LABOR ACCOUNT  
001/001/002/1031/115/44538/000

Date	Apply To	In Punch Comment	In Exc	Out Punch	Out Exc	Money Amount Xfr Workrule	Adj/Ent Amount	Totaled Amount	Cum. Tot. Amount
5/1/2004		6:39:00AM		11:00:00PM				15.00	[REDACTED]
					LV				
5/2/2004		6:43:00AM		11:05:00PM				15.00	[REDACTED]
					LV				
5/4/2004	Regular						-0.50		[REDACTED]
5/4/2004		6:55:00AM		3:29:00PM				8.00	[REDACTED]
					LV				
5/7/2004		6:49:00AM		11:00:00PM				15.00	[REDACTED]
					LV				
5/10/2004		6:47:00AM		11:02:00PM				15.00	[REDACTED]
					LV				
5/11/2004	Regular						-7.50		[REDACTED]
5/11/2004	OT 1.5 - T15						7.50		[REDACTED]
5/11/2004		6:47:00AM		3:02:00PM				7.50	[REDACTED]
			US						
5/12/2004	Shift Diff - ND5						-6.50		[REDACTED]
5/12/2004	Regular						-14.00		[REDACTED]
5/12/2004	OT 1.5 - T15						13.75		[REDACTED]
5/12/2004		6:44:00AM		10:02:00PM				14.00	[REDACTED]
			US						
5/13/2004		6:47:00AM		11:00:00PM				15.00	[REDACTED]
					LV				
5/15/2004	Unapproved OT						-0.25		[REDACTED]
5/15/2004		6:46:00AM		11:00:00PM				15.00	[REDACTED]
					LV				
5/16/2004	Regular						-0.25		[REDACTED]
5/16/2004	Shift Diff - ND5						-0.25		[REDACTED]
5/16/2004		6:48:00AM		11:13:00PM				15.25	[REDACTED]
					LV				

**Time Detail**

Time Period: 5/01/2004 - 6/30/2004  
 Query: Previously Selected Employee(s)  
 Actual/Adjusted: Actual Only

Data Up to Date: 11/14/2006 3:46:33PM  
 Printed: 11/14/2006 3:46:39PM  
 Printed for: NKing

Date	Shift	Start Time	End Time	Rate	Hours	Notes
5/20/2004		6:44:00AM	11:00:00PM		15.00	
						LV
5/21/2004	Regular			7.50		
5/21/2004	Shift Diff - ND5			7.50		
5/21/2004		6:55:00AM	11:00:00PM		15.00	
						LV
5/27/2004		6:43:00AM	11:00:00PM		15.00	
						LV
5/28/2004	Regular			-7.50		
5/28/2004	Shift Diff - ND5			-7.50		
5/28/2004	OT Shift Diff - T16			7.25		
5/28/2004		6:45:00AM	11:02:00PM		15.00	
						LV
5/29/2004	Regular			-7.50		
5/29/2004	Shift Diff - ND5			-7.50		
5/29/2004	OT Shift Diff - T16			7.25		
5/29/2004		6:44:00AM	11:02:00PM		15.00	
						LV
5/30/2004		6:42:00AM	11:02:00PM		15.00	
						LV
5/31/2004	Memorial Day			7.50		
5/31/2004		6:46:00AM	11:00:00PM		15.00	
						LV
6/4/2004	Regular			15.00		
6/4/2004	Shift Diff - ND5			7.50		
6/8/2004	Regular			0.50		
						Meal Break Worked
6/8/2004	Shift Diff - ND5			0.50		
6/8/2004		6:43:00AM	10:23:00PM		14.50	
						LV
6/11/2004	Hol Credit			7.50		
6/12/2004		6:41:00AM	11:00:00PM		15.00	
						LV
6/13/2004	Regular			-7.50		
6/13/2004	Shift Diff - ND5			-7.50		
6/13/2004	OT Shift Diff - T16			7.25		

**Time Detail**

Time Period: 5/01/2004 - 6/30/2004  
 Query: Previously Selected Employee(s)  
 Actual/Adjusted: Actual Only

Data Up to Date: 11/14/2006 3:46:33PM  
 Printed: 11/14/2006 3:46:39PM  
 Printed for: NKing

6/13/2004	6:46:00AM	11:07:00PM		15.00	
			LV		
6/14/2004	6:41:00AM	11:00:00PM		15.00	
			LV		
6/16/2004	Regular			-2.50	
6/16/2004	OT 1.5 - T15			2.50	
6/16/2004	7:57:00AM	10:34:00AM		2.50	
			US		
6/18/2004	Vacation			0.75	
6/18/2004	7:33:00AM	11:06:00PM		14.25	
			LV		
			LV		
6/21/2004	Sick			13.75	
6/21/2004	6:52:00AM	8:06:00AM		1.25	
			EV		
6/25/2004	Sick			7.50	
6/26/2004	Sick			15.00	
6/27/2004	Sick			7.58	
6/27/2004	Sick			-0.08	
6/28/2004	Sick			7.50	
6/28/2004	Sick			8.00	
6/28/2004	Sick			-0.50	

001/001/002/1031/115/44538/000

All Regular Pay Codes

Grand Total Hours

Hol Credit

Hol OT 1.5 - T65

Hol OT Shift Diff - T66

OT 1.5 - T15

OT Shift Diff - T16

Regular

Shift Diff - ND5

Sick

Unapproved OT

Vacation

All Regular Pay Codes

Grand Total Hours

Totals: \$0.00

Hol Credit

**Time Detail**

Time Period: 5/01/2004 - 6/30/2004  
 Query: Previously Selected Employee(s)  
 Actual/Adjusted: Actual Only

Data Up to Date: 11/14/2006 3:42:49PM  
 Printed: 11/14/2006 3:42:55PM  
 Printed for: NKing

Employee: Sagers, Lance L

ID: [REDACTED]

Timezone: Eastern

Status: Active

Status Date: 7/13/2003

Pay Rule: 1 Mrt FLSA 40Lu Comp

**Home Labor Accounts**

START

END

LABOR ACCOUNT

No Start

No End

001/001/002/1031/125/44538/000

Date	Apply To	In Punch Comment	In Exc	Out Punch	Out Exc	Money Amount	Adj/Ent Amount	Totaled Amount	Cum. Tot. Amount
<i>Xfr/Move: Labor Level</i>						<i>Xfr Workrule</i>			
5/3/2004	Unapproved OT						-0.50		[REDACTED]
5/3/2004		2:19:00PM	EV	11:00:00PM				8.00	[REDACTED]
5/4/2004		2:38:00PM		11:00:00PM				7.50	[REDACTED]
5/5/2004		2:41:00PM		11:02:00PM				7.50	[REDACTED]
5/7/2004	Unapproved OT						-0.25		[REDACTED]
5/7/2004		2:29:00PM	EV	11:00:00PM				7.75	[REDACTED]
5/8/2004	Unapproved OT						-0.25		[REDACTED]
5/8/2004		2:29:00PM	EV	11:00:00PM				7.75	[REDACTED]
5/9/2004	Vacation						7.50		[REDACTED]
5/11/2004	Unapproved OT						-0.50		[REDACTED]
5/11/2004		2:20:00PM	EV	11:03:00PM				8.00	[REDACTED]
5/12/2004	Unapproved OT						-0.50		[REDACTED]
5/12/2004		2:22:00PM	EV	11:00:00PM				8.00	[REDACTED]
5/13/2004		2:37:00PM		11:00:00PM				7.50	[REDACTED]
5/14/2004	Unapproved OT						-0.25		[REDACTED]
5/14/2004		2:23:00PM	EV	11:08:00PM				8.00	[REDACTED]
5/17/2004		2:40:00PM		11:04:00PM	LV			7.50	[REDACTED]
5/18/2004	Unapproved OT						-0.75		[REDACTED]
5/18/2004		2:21:00PM	EV	11:08:00PM				8.25	[REDACTED]
5/19/2004		2:47:00PM		11:07:00PM	LV			7.50	[REDACTED]

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**Time Detail**

Time Period: 5/01/2004 - 6/30/2004  
Query: Previously Selected Employee(s)  
Actual/Adjusted: Actual Only

Data Up to Date: 11/14/2006 3:42:49PM  
Printed: 11/14/2006 3:42:55PM  
Printed for: NKing

5/20/2004	Unapproved OT				-0.25	
5/20/2004		2:30:00PM	EV	11:00:00PM	7.75	
5/22/2004	Sick				7.50	
5/23/2004	Vacation				7.50	
5/25/2004	Unapproved OT				-0.25	
5/25/2004		2:42:00PM		11:10:00PM	7.75	
				LV		
5/26/2004	Unapproved OT				-0.25	
5/26/2004		2:28:00PM	EV	11:31:00PM	8.25	
				LV		
5/27/2004	Unapproved OT				-0.75	
5/27/2004		2:22:00PM	US	7:00:00AM	15.50	
5/28/2004	Unapproved OT				-0.25	
5/28/2004		2:34:00PM	EV	11:07:00PM	7.75	
5/31/2004	Memorial Day				0.00	
5/31/2004	Hol Credit				7.50	
6/1/2004	Unapproved OT				-0.25	
6/1/2004		2:29:00PM	EV	11:06:00PM	7.75	
6/2/2004	Vacation				7.50	
6/4/2004	Vacation				7.50	
6/5/2004	Vacation				7.50	
6/6/2004	Vacation				7.50	
6/7/2004	Vacation				7.50	
6/9/2004	Unapproved OT				-0.25	
6/9/2004		2:29:00PM	EV	11:04:00PM	7.75	
6/10/2004		2:24:00PM	EV	11:05:00PM	7.75	
6/11/2004	Hol Credit				7.50	
6/11/2004	Unapproved OT				-7.75	
6/11/2004	Hol OT Shift Diff - T66				7.50	



**Time Detail**

Time Period: 5/01/2004 - 6/30/2004  
 Query: Previously Selected Employee(s)  
 Actual/Adjusted: Actual Only

Data Up to Date: 11/14/2006 3:42:49PM  
 Printed: 11/14/2006 3:42:55PM  
 Printed for: NKing

Date	Event	Start Time	End Time	Rate	Duration
6/11/2004		2:25:00PM	11:03:00PM	7.75	
					EV
6/14/2004	Unapproved OT			-0.50	
6/14/2004		2:31:00PM	11:09:00PM	8.00	
					EV
					LV
6/15/2004	Unapproved OT			-0.25	
6/15/2004		2:25:00PM	11:00:00PM	7.75	
					EV
6/16/2004	Unapproved OT			-0.25	
6/16/2004		2:25:00PM	11:04:00PM	7.75	
					EV
6/17/2004	Unapproved OT			-0.25	
6/17/2004		2:37:00PM	11:10:00PM	7.75	
					LV
6/19/2004		2:36:00PM	11:05:00PM	7.50	
6/20/2004	Sick			7.50	
6/22/2004	Unapproved OT			-0.25	
6/22/2004		2:30:00PM	11:00:00PM	7.75	
					EV
6/23/2004		2:40:00PM	11:02:00PM	7.50	
6/24/2004		2:36:00PM	11:05:00PM	7.50	
6/25/2004	Unapproved OT			-0.75	
6/25/2004		2:06:00PM	11:02:00PM	8.25	
					EV
6/28/2004	Comp Used			1.25	
6/28/2004		2:41:00PM	9:00:00PM	6.25	
					CD
					CD
					EV
	O: Meal Break Worked				
6/29/2004	Unapproved OT			-0.50	
6/29/2004		2:21:00PM	11:05:00PM	8.00	
					EV
6/30/2004	Unapproved OT			-0.50	
6/30/2004		2:18:00PM	11:17:00PM	8.25	
					EV
					LV

**Time Detail**

Time Period: 5/01/2004 - 6/30/2004  
 Query: Previously Selected Employee(s)  
 Actual/Adjusted: Actual Only

Data Up to Date: 11/14/2006 3:48:48PM  
 Printed: 11/14/2006 3:48:54PM  
 Printed for: NKing

Employee: Moffett, David A

ID: [REDACTED]

Timezone: Eastern

Status: Active

Status Date: 7/13/2003

Pay Rule: 2 Mrt FLSA 14 40Lu

**Home Labor Accounts**

START  
No Start

END  
No End

**LABOR ACCOUNT**

001/001/002/1031/125/44538/000

Date	Apply To	In Punch Comment	In Exc	Out Punch	Out Exc	Money Amount Xfr Workrule	Adj/Ent Amount	Totaled Amount	Cum. Tot. Amount
5/3/2004		2:50:00PM		11:05:00PM				7.50	[REDACTED]
5/4/2004		10:49:00PM		7:06:00AM				7.50	[REDACTED]
5/5/2004		2:50:00PM		11:03:00PM				7.50	[REDACTED]
5/7/2004		2:49:00PM		11:00:00PM				7.50	[REDACTED]
5/8/2004	Unapproved OT						-6.75		[REDACTED]
5/8/2004	Regular						-7.50		[REDACTED]
5/8/2004		3:33:00PM	US	7:06:00AM				14.25	[REDACTED]
5/10/2004		2:48:00PM		11:07:00PM				7.50	[REDACTED]
5/11/2004		10:50:00PM		7:07:00AM				7.50	[REDACTED]
5/12/2004		2:50:00PM		11:06:00PM				7.50	[REDACTED]
5/13/2004	Regular						0.25		[REDACTED]
		Approved by Supervisor							
5/13/2004		10:53:00PM	US	7:06:00AM				7.25	[REDACTED]
5/17/2004		2:48:00PM		11:04:00PM				7.50	[REDACTED]
5/18/2004		10:55:00PM		7:00:00AM				7.50	[REDACTED]
5/19/2004	OT Shift Diff - T16						-7.25		[REDACTED]
5/19/2004	Regular						7.50		[REDACTED]
5/19/2004		7:01:00AM	US	3:00:00PM				7.25	[REDACTED]
5/22/2004	Unapproved OT						-6.25		[REDACTED]
5/22/2004	Regular						6.25		[REDACTED]
5/22/2004	Dock						1.25		[REDACTED]
5/22/2004		3:53:00PM	LV	7:07:00AM				13.75	[REDACTED]
					LV				
5/24/2004	Unapproved OT						-7.50		[REDACTED]



**Time Detail**

Time Period: 5/01/2004 - 6/30/2004  
 Query: Previously Selected Employee(s)  
 Actual/Adjusted: Actual Only

Data Up to Date: 11/14/2006 3:48:48PM  
 Printed: 11/14/2006 3:48:54PM  
 Printed for: NKing

5/24/2004	Regular				7.50	
5/24/2004		6:45:00AM	11:02:00PM		15.00	
				LV		
5/26/2004	Vacation				7.50	
5/27/2004	Vacation				7.50	
5/28/2004	Vacation				7.50	
5/31/2004	Memorial Day				0.00	
5/31/2004	Hol Credit				7.50	
6/2/2004		2:54:00PM	11:06:00PM		7.50	
6/3/2004		2:50:00PM	11:01:00PM		7.50	
6/4/2004		2:49:00PM	11:07:00PM		7.50	
6/5/2004	Unapproved OT				-0.25	
6/5/2004		2:57:00PM	7:12:00AM		15.25	
				LV		
6/6/2004	Sick				7.50	
6/7/2004		2:39:00PM	11:06:00PM		7.50	
6/9/2004	Unapproved OT				-0.25	
6/9/2004		6:50:00AM	11:00:00PM		15.00	
			US			
6/10/2004		10:48:00PM	7:00:00AM		7.50	
6/11/2004	Hol Credit				7.50	
6/11/2004	Unapproved OT				-7.25	
6/11/2004	Hol OT Shift Diff - T66				7.25	
6/11/2004		7:01:00AM	3:03:00PM		7.25	
			US			
6/14/2004	Unapproved OT				-0.25	
6/14/2004		2:45:00PM	11:11:00PM		7.75	
				LV		
6/15/2004	Unapproved OT				-0.25	
6/15/2004		2:48:00PM	11:11:00PM		7.75	
				LV		
6/17/2004		10:48:00PM	7:06:00AM		7.50	
			US			
6/18/2004	Dock				0.75	
6/18/2004		2:53:00PM	10:20:00PM		6.75	

**Time Detail**

Time Period: 5/01/2004 - 6/30/2004  
 Query: Previously Selected Employee(s)  
 Actual/Adjusted: Actual Only

Data Up to Date: 11/14/2006 3:48:48PM  
 Printed: 11/14/2006 3:48:54PM  
 Printed for: NKing

					EV	
6/19/2004	6:47:00AM	3:06:00PM	US	7.50		
6/20/2004	10:48:00PM	7:00:00AM	US	7.50		
6/21/2004	7:01:00AM	2:24:00PM	US	6.75		
6/22/2004	8:36:00PM	6:20:00AM	US	9.00		
6/23/2004	2:50:00PM	11:00:00PM		7.50		
6/24/2004	Dock			0.25		
6/24/2004	11:02:00PM	7:00:00AM	LV	7.25		
6/25/2004	Regular			7.25		
6/25/2004	7:01:00AM	2:23:00PM	US	7.50		
O: Meal Break Worked					CD	CD
6/28/2004	2:48:00PM	11:07:00PM		7.50		
6/30/2004	Vacation			7.50		

001/001/002/1031/125/44538/000

All Deducts  
 All Regular Pay Codes  
 Dock  
 Grand Total Hours  
 Hol Credit  
 Hol OT Shift Diff - T66  
 OT Shift Diff - T16  
 Regular  
 Sick  
 Unapproved OT  
 Vacation

All Deducts  
 All Regular Pay Codes  
 Grand Total Hours

Totals: \$0.00

Dock  
 Hol Credit  
 Hol OT Shift Diff - T66  
 OT Shift Diff - T16  
 Regular

## **EXHIBIT L**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 04-1350-GMS
	)	
DR. SYLVIA FOSTER, NURSE	)	
ASSISTANT ROBERT N. GRAY,	)	
MR. JOHNSON I, MR. JOHNSON	)	
2, LANCE SAGERS, and DAVE	)	
MOFFETT,	)	
	)	
Defendants.	)	

CERTIFICATION

I, Nancy Rebeschini, Esquire, pro se law clerk, and designated officer for depositions upon written questions held before me on January 8, 2008, do here by certify that:

1. The deposition of the defendant, Robert N. Gray, was held on January 8, 2008, at 9:00 a.m., at the J. Caleb Boggs Federal Building, Wilmington, Delaware. Joseph Schoell, counsel for Robert N. Gray, David Moffett, and Lance Sagers, and Michael Ripple, counsel for Dr. Sylvia Foster were present at the deposition.

2. On that same date, Robert N. Gray declared before me, an individual authorized to administer oaths, that his written answers were true and correct.

3. I read aloud each and every deposition question submitted by the plaintiff, Jimmie Lewis, for the deponent, Robert N. Gray.

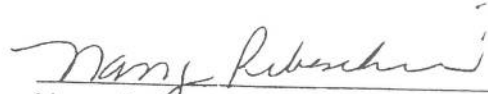
4. I personally observed the deponent, Robert N. Gray, answer, in writing, the deposition questions.

5. A true and correct copy of the written questions filed by the plaintiff, the original

written answers of the deponent, and written original objections made by counsel are attached hereto and are filed with the court, and copies shall be served upon the parties.

I, Nancy Rebeschini, certify under penalty of perjury that the foregoing is true and correct.

Executed this 14<sup>th</sup> day of January, 2008.

  
Nancy Rebeschini, Esquire, Designated  
Officer



1AA, p.5)

16) YOU STATED ON OR ABOUT APRIL 9TH 07  
THAT THE JUNE 14, 04 INCIDENT AT THE DPC'S  
MITCHEL BUILDING DINNING HALL DURING  
SNACK BREAK REGARDING THE PLAINTIFF  
JIMMIE LEWIS OCCURED AT 8:45 PM.

TAKING INTO CONSIDERATION LANCE SAGERS  
APRIL 9TH 07 STATEMENT, QUOTE,

I WAS AT LUNCH OUT OF THE MITCHEL  
BUILDING FROM 8:00 PM TO 8:40 PM, UNQUOTE.

QUESTION, DOES YOUR CLAIM THAT THE  
AFOREMENTIONED INCIDENT OCCURED AT 8:45 PM,  
PLACE LANCE SAGERS INSIDE OF THE  
MITCHEL BUILDING AT THE TIME YOU  
STATED THE INCIDENT OCCURED

IAA, P.6

17.) ON OR ABOUT APRIL 9TH 07, YOU SUBMITTED A STATEMENT CLAIMING, QUOTE. I THEN PULLED LEWIS TOWARDS MY BODY, AND WE FELL TO THE FLOOR TOGETHER. ANOTHER STAFF MEMBER GRABBED LEWIS AROUND HIS LEG. ON THE FLOOR, I ASKED LEWIS IF HE WAS ALRIGHT. UNQUOTE. QUESTION, WHY DID YOU ASK THE PLAINTIFF IF HE WAS ALRIGHT.

18.) DURING THE JUNE 14, 04 INCIDENT AT THE D.P.C AT OR ABOUT 8:00 PM IN THE MITCHEL BUILDING'S DINNING HALL DURING SNACK BREAK; DID YOU GRAB THE PLAINTIFF FROM THE FRONT OR THE REAR.

19.) ON OR ABOUT APRIL 9TH 07 YOU SUBMITTED A STATEMENT, QUOTE. I ASKED LEWIS IF HE WOULD CONTRACT FOR SAFETY; TO WHICH HE RESPONDED THAT HE WOULD, AT THAT POINT LEWIS AND I STOOD UP TOGETHER; AND OTHER STAFF ESCORTED HIM OUT OF MY PRESENCE, UNQUOTE. QUESTION, WHY DIDNT YOU ESCORT THE PLAINTIFF TO THE ISOLATION ROOM.

Robert N. Gray  
Jan. 8, 2008

- # 1. ~~Deanna~~ D. P. C. training
- # 2. make sure restrains are not tight on patient arms or legs not to choke.
- # 3. I'm not ~~the~~ Doctor.
- # 4. I'm not a Doctor.
- # 5. I ~~know~~ don't know.
- # 6. I ~~do~~ don't remember.
- # 7. yes
- # 8. yes
- # 9. yes
- # 10. only yes report change of shift
- # 11. yes
- # 12. because of behavior or harm to self or others.
- # 13. I wrote in Patient chart and talk with my Supervisor about the pt. behavior.
- # 14. I wrote in Patient chart about incident on that date.
- # 15. ON 6-14 IN dining RM Pt. had to be restrained by staff because of behavior
- # 16. I don't know if Sager was in the building or not but he was in the break room or dining at that time
- # 17. because I and ~~the~~ <sup>other staff</sup> wanted to know if he was calm and for safety contract.
- # 18. ~~from the side of Patient~~ No! but from his side
- # 19. yes! I did. we a lot help to escort Pt. back to ~~North~~ Northside, because my back was hurting.
- # 20. I'm not a Doctor.

Robert N. Gray

## **EXHIBIT M**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 04-1350-GMS
	)	
DR. SYLVIA FOSTER, NURSE	)	
ASSISTANT ROBERT N. GRAY,	)	
MR. JOHNSON 1, MR. JOHNSON	)	
2, LANCE SAGERS, and DAVE	)	
MOFFETT,	)	
	)	
Defendants.	)	

CERTIFICATION

I, Nancy Rebeschini, Esquire, pro se law clerk, and designated officer for depositions upon written questions held before me on January 8, 2008, do here by certify that:

1. The deposition of the defendant, David Moffett, was held on January 8, 2008, at 9:00 a.m., at the J. Caleb Boggs Federal Building, Wilmington, Delaware. Joseph Schoell, counsel for Robert N. Gray, David Moffett, and Lance Sagers, and Michael Ripple, counsel for Dr. Sylvia Foster were present at the deposition.

2. On that same date, David Moffett declared before me, an individual authorized to administer oaths, that his written answers were true and correct.

3. I read aloud each and every deposition question submitted by the plaintiff, Jimmie Lewis, for the deponent, David Moffett.

4. I personally observed the deponent, David Moffett, answer, in writing, the deposition questions.

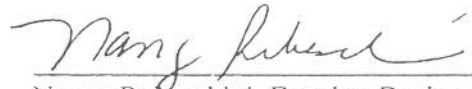
5. A true and correct copy of the written questions filed by the plaintiff, the original



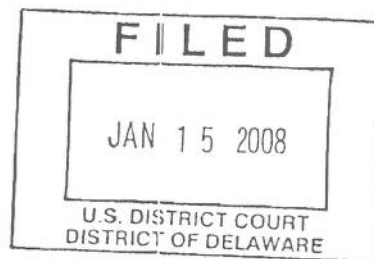
written answers of the deponent, and written original objections made by counsel are attached hereto and are filed with the court, and copies shall be served upon the parties.

I, Nancy Rebeschini, certify under penalty of perjury that the foregoing is true and correct.

Executed this 14<sup>th</sup> day of January, 2008.



Nancy Rebeschini, Esquire, Designated  
Officer



3cc, p.4)

- 13.) UP UNTIL TO DATE, WHY HAVN'T YOU SUBMITTED CLAIM THAT THE PLAINTIFF JIMMIE LEWIS ALLEGEDLY THREATENED YOU, WAS VERBALLY ABUSIVE AND OR PHYSICALLY ASSAULTED YOU OR ANY SPECIFICALLY NAMED D. P.C PATIENT OR D. P.C STAFF MEMBER WHO WAS PRESENT DURING THE JUNE 14, 04 INCIDENT IN THE D.P.C'S MITCHEL BUILDING.
- 14.) CAN YOU RECALL IF YOU HAD TO PHYSICALLY SUBDUE AND OR RESTRAIN THE PLAINTIFF JIMMIE LEWIS AT THE D. P.C'S MITCHEL BUILDING ON EITHER OF THE FOLLOWING DATES. DURING HIS 5/21/04 TO 6/25/04 STAY AT THE DELAWARE PSYCHIATRIC CENTER:  
6/6 - 13 - 14 AT OR ABOUT 8:00 PM, 14TH AT OR ABOUT 11:00 PM, 15TH - 21 - 22 - 24 / 2004.  
PLEASE SPECIFICALLY NOTE SAID DATE OR DATES.

3cc, p.5)

15.) YOU STATED ON OR ABOUT APRIL 9TH 07 THAT THE JUNE 14, 04 INCIDENT AT THE D.P.C.'S MITCHEL BUILDING DINNING HALL DURING SNACK BREAK REGARDING THE PLAINTIFF JIMMIE LEWIS OCCURED AT 8:45 PM.

TAKING INTO CONSIDERATION LANCE SAGERS APRIL 9TH 07 STATEMENT, QUOTE.

I WAS AT LUNCH OUT OF THE MITCHEL BUILDING FROM 8:00 PM TO 8:40 PM, UNQUOTE.

QUESTION, DOES YOUR CLAIM THAT THE AFOREMENTIONED INCIDENT OCCURED AT 8:45 PM, PLACE LANCE SAGERS INSIDE OF THE ~~MITCHEL~~ MITCHEL BUILDING AT THE TIME YOU STATED THE INCIDENT OCCURED.

David A. Moffett  
Jan. 8, 2008

David A. Moffett

1. Delaware Psychiatric Center
2. Taught not to apply too much pressure at persons joints, and not to restrict air passage at the mouth.
3. Do not recall.
4. Do not recall.
5. No.
6. None.
7. Yes.
8. Unaware of medical orders.
9. Yes.
10. Yes. aware of injections Not aware of the type of medicine.
11. Yes.
12. To deescalate the patients behaviors.
13. No need to.
14. Yes on 6/14/04.
15. Unaware of Mr. Sagers whereabouts during the stated time.
16. Do not recall.

~~17.~~  
David A. Moffett

## **EXHIBIT N**



MS Document 253-7 Filed 03/27/2

[illegible]

# **EXHIBIT O**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 04-1350-GMS
	)	
DR. SYLVIA FOSTER, NURSE	)	
ASSISTANT ROBERT N. GRAY,	)	
MR. JOHNSON 1, MR. JOHNSON	)	
2, LANCE SAGERS, and DAVE	)	
MOFFETT,	)	
	)	
Defendants.	)	

CERTIFICATION


I, Nancy Rebeschini, Esquire, pro se law clerk, and designated officer for depositions upon written questions held before me on January 8, 2008, do here by certify that:

1. The deposition of the defendant, Lance A. Sagers, was held on January 8, 2008, at 9:00 a.m., at the J. Caleb Boggs Federal Building, Wilmington, Delaware. Joseph Schoell, counsel for Robert N. Gray, David Moffett, and Lance Sagers, and Michael Ripple, counsel for Dr. Sylvia Foster were present at the deposition.
2. On that same date, Lance A. Sagers declared before me, an individual authorized to administer oaths, that his written answers were true and correct.
3. I read aloud each and every deposition question submitted by the plaintiff, Jimmie Lewis, for the deponent, Lance A. Sagers.
4. I personally observed the deponent, Lance A. Sagers, answer, in writing, the deposition questions.
5. A true and correct copy of the written questions filed by the plaintiff, the original

written answers of the deponent, and written original objections made by counsel are attached hereto and are filed with the court, and copies shall be served upon the parties.

I, Nancy Rebeschini, certify under penalty of perjury that the foregoing is true and correct.

Executed this 14<sup>th</sup> day of January, 2008.

  
Nancy Rebeschini, Esquire, Designated  
Officer

Page 2

Lance L. Sagers  
01/08/08 9:08 AM

- ⑪ I was not present at this time
- ⑫ I ~~don't~~ do not know, I am not a psychiatrist
- ⑬ I do not recall being present on this date or remember being involved in an incident.
- ⑭ I do not recall being involved in physically ~~restraining~~ restraining the inmate/patient on any of these dates.
- ⑮ I am not aware of when the doctor diagnoses a patient or recall finding out this inmate/patient was diagnosed as malingering.
- ⑯ I was not docked wages for this time and this information can be accessed at Delaware Psychiatric Center's timekeeping department.
- ⑰ Staff must check in with Jane E. Mitchell security officers at the entrance of the building.
- ⑱ I was not in the Jane E. Mitchell Building at the time of the incident per Jane E. Mitchell security log books for entering and exiting the building.

Lance L. Sagers



4DD, P. 6)

16.) CAN YOU PROVIDE ANY DOCUMENTATION THAT YOU WERE DOCKED WAGES FOR THE TIME OF 8:00 PM TO 8:45 PM ON JUNE 14, 2004

17.) WHAT IS THE SECURITY PROCEDURE FOR ENTERING AND LEAVING THE MITCHEL BUILDING AT THE D.P.C.

18.) ON APRIL 9TH 07 DAVID MOFFETT AND ROBERT GRAY SUBMITTED STATEMENTS THAT THE JUNE 14, 04 INCIDENT AT THE MITCHEL BUILDING'S DINNING HALL, OCCURED AT 8:45 PM; AND YOUR APRIL 9TH 07 STATEMENT IS THAT YOU WERE AT LUNCH OUT OF THE D.P.C.'S MITCHEL BUILDING FROM 8:00 PM TO 8:40 PM. IS IT CORRECT THAT THE TIMES DAVID MOFFETT AND ROBERT GRAY GAVE, IS COLLABERATING EVIDENCE THAT WOULD CALL A JURY WHO REVIEWED THIS EVIDENCE TO THINK THAT YOU WERE INDEED INSIDE OF THE MITCHEL BUILDING FOR 5 MINUTES BEFORE THE JUNE 14, 04 INCIDENT IS SAID TO HAVE OCCURED.

## **EXHIBIT P**

## GRIEVANCE RESOLUTION PROCESS FOR PATIENTS AND FAMILIES



**DELAWARE PSYCHIATRIC CENTER**  
 Grievance Resolution Process for Patients and Families

At the time of admission, your Rights & Responsibilities while a patient at Delaware Psychiatric Center were explained to you and a copy of the Patient Rights Handbook was given to you. These Rights are also posted on each unit, with telephone numbers for the Director of Consumer Affairs, the Patient Advocate, the Office of Health Facilities Licensing and Certification, and the Division of Long Term Care Residents Protection.

You may bring up any complaints you have about your care in several ways:

- Tell your complaint to a staff member, your doctor, the Nursing Supervisor on duty, or the Unit Director. They can tell you who can help you with your complaint. Work with the staff to see if your complaint can be helped.

If you are not satisfied with the staff's response, do the following:

- Tell the staff person of your dissatisfaction.

OR

- Write your complaint on a Grievance Form. Any staff will give you a copy of this form and will help you write your complaint. You may also write your complaint on any piece of paper and give it to a member of your Treatment Team.

OR

- Complain directly to the Director of Consumer Affairs, the Patient Advocate, the Office of Health Facilities Licensing and Certification, or the Division of Long Term Care Residents Protection. (See phone numbers posted on unit.)
- If you need help, ask a staff member to assist you in completing the Grievance Form or contacting one of the individuals listed above.

**Delaware Psychiatric Center staff's responsibility:**

- DPC staff will meet with you/your family to discuss your complaint and try to resolve the issue(s).
- If you are not satisfied, staff will provide you/your family with a copy of the Grievance Form and help you complete it.
- Your Unit Director/Designee will investigate your written complaint/grievance.
- Your Unit Director/Designee will provide you/your family with a written response within 7 days or will tell you if more time is needed.
- If you or your family are not satisfied with the resolution of your grievance, it will be given to the Hospital Director or Hospital Director's representative to review and investigate further.
- You will receive a written response from the Hospital Director.

The Hospital Director's decision is considered final; however you/your family may choose to seek outside assistance by contacting the Director of Consumer Affairs (255-9421), the Patient Advocate (255-2775), the Office of Health Facilities Licensing and Certification (1-800-942-7373), the Division of Long Term Care Residents Protection (1-877-453-0012) or private counsel.